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UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

SUFFOLK COUNTY

CIVIL ACTION NO.

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U.S. DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

**Enoh A. Johnson**  
*Petitioner*

v.

**COMPLAINT**

**Thomas M. Hodgson**  
*Sheriff Bristol County*  
*House of Correction*  
*County-Bristol, MA*

**Civil Rights Violation**

**1. PARTIES**

- (A.) The petitioner, Enoch Johnson, is a resident of Dudley, Massachusetts in Suffolk County. Petitioner is a native and citizen of Sierra Leone.
- (B.) The defendant, Thomas M. Hodgson, Sheriff Bristol County House Of Correction, is a resident of Massachusetts and a citizen of the United States. The Bristol House of Corrections is located on 400 Faunce Corner Road, North Dartmouth, MA 02747.

## **2. JURISDICTION**

This action arises under the Constitution of the United States, and the Immigration and Nationality Act (INA), 8 U.S.C. §1101 et seq., as Amended by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), Pub.L. No. 104-208, 110 STAT. 1570, and the Administrative Procedure Act (APA), 5 U.S.C. §701 et seq.

## **3. VENUE**

Pursuant to Braden v. 30<sup>th</sup> Judicial Circuit Court of Kentucky, 410 U.S. 484, 493-500 (1973), venue lies in the United States District Court for the District of Massachusetts, the Judicial District in which Petitioner resides.

## **4. PROCEDURAL HISTORY**

Petitioner, Enoch A. Johnson, is a native and citizen of Sierra Leone who was admitted to the United States at Baltimore, Maryland, on or about November 25, 1992. Petitioner was granted Temporary Protective Status From 1998 until 2004. On or about September 16, 2002, Petitioner filed For Political Asylum with the United States Immigration Citizenship Services to adjust his status. However, Petitioner was not called in for an Interview by the Department of Homeland Security. Based upon this information, DHS charged the Petitioner with removability pursuant to INA § 237(a)(1)(B), as an Alien who remained in the United States for a time longer than Permitted. Petitioner was wrongfully charged by DHS and placed into mandatory detention at the Bristol County house of Corrections on September 22, 2009 until November 17, 2009.

## **5. FACTUAL ALLEGATIONS**

- (A.) On September 22, 2009, while Petitioner was being transported from Burlington on route to the Bristol County House of Correction by the Bristol County Sheriff's office, Petitioner was involved in a motor vehicle accident, in which, Petitioner suffered physical bodily injuries caused by the reckless endangerment administered by the driver of the transport vehicle.

- (B.) Upon arrival at the Bristol County House of Corrections on the said date of September 22, 2009, Petitioner was assaulted by one of the vehicle drivers of the transport vehicle. This incident was captured on video camera surveillance located within the front entrance processing center at the Bristol County House of Correction.
- (C.) During the incident of assault, Petitioner was exposed to violating and degrading acts geared toward humiliation and ridicule. When Petitioner exited the vehicle and entered into the facility, at that time, one of the officers from the transport vehicle entered into contact with the Petitioner. At the point of contact, the Petitioner's pants fell to the floor and when the officer observed what had transpired with the Petitioner's loss of clothing revealing his private parts, the officer reacted by laughing and proceeded to direct the attention of all others who were present in the immediate area, which included all Massachusetts state inmates in the close proximity to the Petitioner to take part in the spectacle. As the Petitioner stood without pants and semi naked and exposed, the officer rallied everyone who was present to participate in the spectacle by laughing at the Petitioner's exposed genitalia.
- (D.) On October 01, 2009, Petitioner filed an inmate grievance form with the Bristol County Sheriff's Office documenting the incident of assault. A witness to the incident, Francis Wilson Mezan, was interviewed by Bristol County Investigative team.
- (E.) On September 27, 2009, Petitioner filed a complaint of Torture with the Bristol County Sheriff's office because of the obvious failure of the facility to take the necessary steps and easily available measures to address the "*substantial risk to the Petitioner's health*" by not providing the Petitioner with medication to properly treat Petitioner's mental health issues.

## **LEGAL FRAMEWORK FOR RELIEF SOUGHT**

According to the United States Constitution, the abuse constituted cruel and unusual punishment and violated the Petitioner's equal protection and civil and human rights.

## **PRAYER FOR RELIEF**

Wherefore, Petitioner prays that this court grant the following relief:

- (1.) Assume jurisdiction over this matter
- (2.) Award Petitioner a favorable finding that Petitioner's U.S. Constitutional rights had been violated.
- (3.) Grant all compensatory damages and further relief that this court deems just and proper.

I, Enoch A. Johnson, affirm under penalty of perjury, that the foregoing is true and correct.

Respectfully submitted,

\_\_\_\_\_, Pro Se  
Enoch A. Johnson  
429 Dudley Street  
Roxbury, MA 02119  
803.612.9138

Date \_\_\_\_\_

## CERTIFICATE OF SERVICE

On October 5, 2011, I, Enoch A. Johnson, mailed or delivered a copy of this documentation to the following below mentioned address. Via mail.

Sheriff, Thomas M. Hodgson  
Bristol County House of Correction  
400 Faunce Corner Road  
North Dartmouth, MA 02747

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Enoh A. Johnson

Date 5/15/2012  
October 5, 2011